IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISIDICTION

CONTEMPT PETITION NO.214 OF 2004
IN
WRIT PETITION NO. 9148 OF 2003

Madhav Laxman Khandait ...Petitioner

Vs.

Mr.R.C.Joshi and Anr. ...Respondents

....

Mr.Ravindra Mane for Mr.Uday Warunjikar for Petitioner
Mr.D.A.Patil A.G.P for Respondents

....

CORAM : B.H.MARLAPALLE,J.

DATE : FEBRUARY 11,2005

P.C.:

1. Heard Mane holding for Mr.Warunjikar, the learned counsel for the Petitioner. While disposing of W.P.No. 9418 of 2003 this Court by order dated 16.12.2003 had directed that the pending appeal against the order dated 19.6.2002, passed by the Additional Commissioner, Pune Division, be decided as expeditiously as possible and in any case within a period of 12 weeks.

2. It is alleged in this Contempt Petition that the said appeal was not decided within the specified period of 12 weeks. The Contempt Petition appears to have been moved before this Court on 28.4.2004 and

before its cognizance was taken, the appeal has been decided on 19.5.2004 by the Minister of State for Revenue.

3. In this Contempt Petition Mr.R.C.Joshi, the Principal Secretary in the Ministry of Revenue and Forest, has been impleaded as the alleged contemnor no.1. Obviously, Mr.Joshi is not the appellate authority and as per the business Rules, it is the Minister of State who has ultimately decided the appeal.

4. Contempt Petition is misconceived and the same is hereby rejected.

[B.H.MARLAPALLE,J.]